

Federal Communications Commission

§ 90.715

within one year of the date of the application showing net current assets sufficient to meet estimated construction and operating costs. An applicant must also submit an unaudited balance sheet, current within 60 days of the date of submission, that clearly shows the continued availability of sufficient net current assets to construct and operate the proposed system, and a certification by the applicant or an officer of the applicant organization attesting to the validity of the balance sheet.

(d) An applicant submitting evidence of a firm financial commitment for the showing required in paragraph (b) of this section must obtain the commitment from a bona fide commercially acceptable source, *e.g.*, a state or federally chartered bank or savings and loan institution, other recognized financial institution, the financial arm of a capital equipment supplier, or an investment banking house. If the lender is not a state or federally chartered bank or savings and loan institution, other recognized financial institution, the financial arm of a capital equipment supplier, or an investment banking house, the lender must also demonstrate that it has funds available to cover the total commitments it has made. The lender's commitment shall contain a statement that the lender:

(1) Has examined the financial condition of the applicant including an audited financial statement, and has determined that the applicant is credit-worthy;

(2) Has examined the financial viability of the proposed system for which the applicant intends to use the commitment; and

(3) Is willing, if the applicant is seeking a Phase I, commercial nationwide license, to provide a sum to the applicant sufficient to cover the realistic and prudent estimated costs of construction of 40 percent of the system and operation of the system for the first four years of the license term.

(e) A Phase II applicant for authorization in a geographic area for Channels 166 through 170 in the public safety/mutual aid category may not have any interest in another pending application in the same geographic area for Channels 166 through 170 in the public safety/mutual aid category, and a

Phase II applicant for authorization in a geographic area for channels in the emergency medical category may not have any interest in another pending application in the same geographic area for channels in the emergency medical category.

[62 FR 15994, Apr. 3, 1997, as amended at 62 FR 18935, Apr. 17, 1997]

§ 90.715 Frequencies available.

(a) The following table indicates the channel designations of frequencies available for assignment to eligible applicants under this subpart. Frequencies shall be assigned in pairs, with base station frequencies taken from the 220-221 MHz band with corresponding mobile and control station frequencies being 1 MHz higher and taken from the 221-222 MHz band. Only the lower half of the frequency pair(s) is listed in the table. Use of these frequencies in the Mexican and Canadian border areas is subject to coordination with those countries. See paragraph (c) of this section for special provisions concerning use in the Mexico border area.

TABLE OF 220-222 MHz CHANNEL DESIGNATIONS

| Channel No. | Base frequency (MHz) |
|-------------|----------------------|
| 1 | 220.0025 |
| 2 | .0075 |
| 3 | .0125 |
| 4 | .0175 |
| 5 | .0225 |
| 6 | .0275 |
| 7 | .0325 |
| 8 | .0375 |
| 9 | .0425 |
| 10 | .0475 |
| 11 | .0525 |
| 12 | .0575 |
| 13 | .0625 |
| 14 | .0675 |
| 15 | .0725 |
| 16 | .0775 |
| 17 | .0825 |
| 18 | .0875 |
| 19 | .0925 |
| 20 | .0975 |
| 21 | 220.1025 |
| 22 | .1075 |
| 23 | .1125 |
| 24 | .1175 |
| 25 | .1225 |
| 26 | .1275 |
| 27 | .1325 |
| 28 | .1375 |
| 29 | .1425 |
| 30 | .1475 |
| 31 | .1525 |

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TABLE OF 220–222 MHz CHANNEL
DESIGNATIONS—Continued

| Channel No. | Base frequency (MHz) |
|-------------|-------------------------|
| 32 | .1575 |
| 33 | .1625 |
| 34 | .1675 |
| 35 | .1725 |
| 36 | .1775 |
| 37 | .1825 |
| 38 | .1875 |
| 39 | .1925 |
| 40 | .1975 |
| 41 | 220.2025 |
| 42 | .2075 |
| 43 | .2125 |
| 44 | .2175 |
| 45 | .2225 |
| 46 | .2275 |
| 47 | .2325 |
| 48 | .2375 |
| 49 | .2425 |
| 50 | .2475 |
| 51 | .2525 |
| 52 | .2575 |
| 53 | .2625 |
| 54 | .2675 |
| 55 | .2725 |
| 56 | .2775 |
| 57 | .2825 |
| 58 | .2875 |
| 59 | .2925 |
| 60 | .2975 |
| 61 | 220.3025 |
| 62 | .3075 |
| 63 | .3125 |
| 64 | .3175 |
| 65 | .3225 |
| 66 | .3275 |
| 67 | .3325 |
| 68 | .3375 |
| 69 | .3425 |
| 70 | .3475 |
| 71 | .3525 |
| 72 | .3575 |
| 73 | .3625 |
| 74 | .3675 |
| 75 | .3725 |
| 76 | .3775 |
| 77 | .3825 |
| 78 | .3875 |
| 79 | .3925 |
| 80 | .3975 |
| 81 | 220.4025 |
| 82 | .4075 |
| 83 | .4125 |
| 84 | .4175 |
| 85 | .4225 |
| 86 | .4275 |
| 87 | .4325 |
| 88 | .4375 |
| 89 | .4425 |
| 90 | .4475 |
| 91 | .4525 |
| 92 | .4575 |
| 93 | .4625 |
| 94 | .4675 |
| 95 | .4725 |
| 96 | .4775 |
| 97 | .4825 |
| 98 | .4875 |
| 99 | .4925 |
| 100 | .4975 |
| 101 | 220.5025 |

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TABLE OF 220–222 MHz CHANNEL
DESIGNATIONS—Continued

| Channel No. | Base frequency (MHz) |
|-------------|-------------------------|
| 102 | .5075 |
| 103 | .5125 |
| 104 | .5175 |
| 105 | .5225 |
| 106 | .5275 |
| 107 | .5325 |
| 108 | .5375 |
| 109 | .5425 |
| 110 | .5475 |
| 111 | .5525 |
| 112 | .5575 |
| 113 | .5625 |
| 114 | .5675 |
| 115 | .5725 |
| 116 | .5775 |
| 117 | .5825 |
| 118 | .5875 |
| 119 | .5925 |
| 120 | .5975 |
| 121 | 220.6025 |
| 122 | .6075 |
| 123 | .6125 |
| 124 | .6175 |
| 125 | .6225 |
| 126 | .6275 |
| 127 | .6325 |
| 128 | .6375 |
| 129 | .6425 |
| 130 | .6475 |
| 131 | .6525 |
| 132 | .6575 |
| 133 | .6625 |
| 134 | .6675 |
| 135 | .6725 |
| 136 | .6775 |
| 137 | .6825 |
| 138 | .6875 |
| 139 | .6925 |
| 140 | .6975 |
| 141 | 220.7025 |
| 142 | .7075 |
| 143 | .7125 |
| 144 | .7175 |
| 145 | .7225 |
| 146 | .7275 |
| 147 | .7325 |
| 148 | .7375 |
| 149 | .7425 |
| 150 | .7475 |
| 151 | .7525 |
| 152 | .7575 |
| 153 | .7625 |
| 154 | .7675 |
| 155 | .7725 |
| 156 | .7775 |
| 157 | .7825 |
| 158 | .7875 |
| 159 | .7925 |
| 160 | .7975 |
| 161 | 220.8025 |
| 162 | .8075 |
| 163 | .8125 |
| 164 | .8175 |
| 165 | .8225 |
| 166 | .8275 |
| 167 | .8325 |
| 168 | .8375 |
| 169 | .8425 |
| 170 | .8475 |
| 171 | .8525 |

TABLE OF 220–222 MHz CHANNEL
DESIGNATIONS—Continued

| Channel No. | Base frequency (MHz) |
|-------------|-------------------------|
| 172 | .8575 |
| 173 | .8625 |
| 174 | .8675 |
| 175 | .8725 |
| 176 | .8775 |
| 177 | .8825 |
| 178 | .8875 |
| 179 | .8925 |
| 180 | .8975 |
| 181 | 220.9025 |
| 182 | .9075 |
| 183 | .9125 |
| 184 | .9175 |
| 185 | .9225 |
| 186 | .9275 |
| 187 | .9325 |
| 188 | .9375 |

TABLE OF 220–222 MHz CHANNEL
DESIGNATIONS—Continued

| Channel No. | Base frequency (MHz) |
|-------------|-------------------------|
| 189 | .9425 |
| 190 | .9475 |
| 191 | .9525 |
| 192 | .9575 |
| 193 | .9625 |
| 194 | .9675 |
| 195 | .9725 |
| 196 | .9775 |
| 197 | .9825 |
| 198 | .9875 |
| 199 | .9925 |
| 200 | 220.9975 |

(b) The 200 channels are divided into three sub-bands as follows:

| Channel No. | Sub-band | Frequencies (MHz) |
|---------------|----------|-------------------------------------|
| 1–40 | A | 220.0025–220.1975/221.0025–221.1975 |
| 41–160 | C | 220.2025–220.7975/221.2025–221.7975 |
| 161–200 | B | 220.8025–220.9975/221.8025–221.9975 |

(c) U.S./Mexico border area. (1) Channels 16–30, 45–60, 76–90, 106–120, 136–145, 156–165, 178–194 are available for primary use within the United States within 120 km (74.6 mi) of the Mexican border, subject to the power and antenna height conditions specified in § 90.729 and the use restrictions specified in §§ 90.717–90.721.

(2) Channels 195–200 are available to both the United States and Mexico in the border area on an unprotected basis. Use is limited to a maximum effective radiated power (ERP) of 2 watts and a maximum antenna height of 6.1 meters (20 ft) above ground.

(3) Channels allotted for primary Mexican use (1–15, 31–45, 61–75, 91–105, 121–135, 146–155, and 166–177) may be used in the border area subject to the condition that the power flux density not exceed –86 dB(W/m²) at or beyond any point on the border. Stations operating under this provision will be considered secondary and will not be granted protection from harmful interference from stations that have primary use of the frequencies.

[56 FR 19603, Apr. 29, 1991, as amended at 57 FR 55148, Nov. 24, 1992]

§ 90.717 Channels available for nationwide systems in the 220–222 MHz band.

(a) Channels 51–60, 81–90, and 141–150 are 10-channel blocks available to non-Government applicants only for nationwide Phase II systems.

(b) Channels 21–25, 26–30, 151–155, and 156–160 are 5-channel blocks available to non-Government applicants only for nationwide, commercial Phase I systems.

(c) Channels 111–115 and 116–120 are 5-channel blocks available for Government nationwide use only.

[62 FR 15994, Apr. 3, 1997]

§ 90.719 Individual channels available for assignment in the 220–222 MHz band.

(a) Channels 171 through 200 are available to both Government and non-Government Phase I applicants, and may be assigned singly or in contiguous channel groups.

(b) Channels 171 through 180 are available for any use by Phase I applicants consistent with this subpart.

(c) Channels 181 through 185 are set aside in Phase II for emergency medical use for applicants that meet the eligibility criteria of § 90.20(a)(1)(iii) or § 90.20(a)(2)(xiii).